



Ohio Bureau of Criminal Identification & Investigation
INVESTIGATIVE REPORT



December 6, 2012 Cleveland Police Detectives' Statements

Summary

On Thursday, December 6, 2012 at approximately 1430 hours, Ohio BCI Special Agent Moore, Special Agent Warner and Special Agent Verhiley met with Cleveland Police Commander James Chura at the Cleveland Police Department Headquarters, 1300 St. Clair Avenue, Cleveland, Cuyahoga County, Ohio in reference to obtaining follow-up statements.

Details

On Thursday, December 6, 2012 at approximately 1430 hours, Ohio BCI Special Agent Moore, Special Agent Warner and Special Agent Verhiley met with Cleveland Police Commander James Chura at the Cleveland Police Department Headquarters, 1300 St. Clair Avenue, Cleveland, Cuyahoga County, Ohio in reference to obtaining follow-up statements. Commander Chura indicated that on Thursday, November 29, 2012 at approximately 2230 hours, several Cleveland Police Detectives from the Homicide Unit and the Sex Crimes Unit were working during the Cleveland Police vehicle pursuit and officer involved shooting. Commander Chura stated when the detectives were in the offices of the Homicide Unit and the Sex Crimes Unit, they heard what appeared to be a gunshot coming from the area of St. Clair Avenue and Ontario Street. The offices of the Homicide Unit and the Sex Crimes Unit are located on the south side of the sixth floor of the Justice Center, 1300 St. Clair Avenue, Cleveland, Ohio. The two offices overlook St. Clair Avenue where the vehicle pursuit was initiated.

Commander Chura provided Special Agent Verhiley with written statements from Crime Scene Detective Frank M. Costanzo #78, Sex Crimes Detective Thomas Ross #2429, Sex Crimes Detective Andrew Harasimchuk #481, and Homicide Detective James #279. The aforementioned written statements were submitted to this case file as attachments to this report.

File Number: SI-18-12-82-1493	File Title: Timothy R. Russell (S) Malissa A. Williams (S)
Case Agent: Mark Kollar	Authoring Agent: Verhiley, T. #76 <i>TV</i>
Date of Report: 12/06/12	Exhibit #: N/A
Investigative Activity: Cleveland Police Detectives' Statements	Supervisor Approval: Dennis Sweet <i>[Signature]</i> JAN 17 2013

Subject Information

Name: Timothy R. Russell

DOB: 12/09/1968

SSN: [REDACTED]

Sex: Male

Race: Black

Height: 5'05"

Weight: 220 lbs

Hair: Black

Eyes: Brown

S/V/W: S

CCH: FBI [REDACTED], BCI [REDACTED]

CLEVELAND DIVISION OF POLICE

CLEVELAND, OHIO

DEPARTMENTAL INFORMATION

DIST./BUR. CS&R ZONE UNIT 12/4/12

EXAMINED BY Will Traine RANK Lt 12-5-12

FROM Frank M Costanzo # 78 TO William Traine Lieut.

SUBJECT Shots Fired

COPIES TO Unit Files, Chiefs Office, CPPA

Sir

On Thursday November 29th 2012 at approximately 2230 Hrs while Assigned to the Crime Scene Unit, I was in the Crime Scene Unit Office along with Det. William Tinsley # 1035 At that time we heard a loud bang which sounded like a gunshot that came from the south west end of the office. A few seconds later we heard 2nd Dist Officer (Unknown) call over the air that he was following A Blue vehicle West bound from St. Clair who was refusing to stop. Sergt. Luby was notified about the shot that was heard.

Respectfully Submitted,

Frank M Costanzo # 78
Det. Frank M Costanzo # 78

DIVISION OF POLICE

CLEVELAND, OHIO

DIVISIONAL INFORMATION

BSI/Homicide

December 6, 2012

EXAMINED BY A. Muntz - 8438 RANK ft

12-6-12

FROM: James Raynard, Det. #279

TO: Ronald Timm, Lieut.

SUBJECT: UDFIT 12-22

Copies To: Chiefs Office, Commander Chura, unit files.

Sir,

On Thursday, November 29, 2012, assigned to the Homicide Unit car 8119 and at the homicide office (6th floor) working on unrelated suspected homicide investigation, at approximately 2230 hours while in the main office I heard a noise that appeared to generate from the corner of St. Clair Av. & Ontario St.

This noise was dull and loud, and could be described as an auto driving over a steel plate in the road, a tire blow out, or shotgun blast.

A short time later, Det. Joselito Sandoval & I were outside smoking and I observed a zone car leaving the Justice Center at a fast pace. Then, 2-additional zone cars with their lights and sirens activated passed the Justice Center, travelling east on St. Clair Av.

Upon return to the office, I turned on our portable radio and learned of a pursuit.

I continued with my suspected homicide investigation until I learn of this case from Lieut. Ronald Timm, OIC/UDFIT.

I secured my evidence collections and responded to the East Cleveland location.

 #279
Det. James Raynard #279

CLEVELAND DIVISION OF POLICE

CLEVELAND, OHIO

DEPARTMENTAL INFORMATION

DIST SCU ZONE SCU December 04 .2012
 EXAMINED BY [Signature] RANK LT. 1205 .2012
 FROM Detective Thomas Ross #2429 TO James McPike, Lieutenant
 SUBJECT Officer Involved Shooting/ RMS #12-382097
 COPIES TO BSI, Homicide Unit (UDFIT), CPPA, FOP

Sir:

I am typing this Form 1 pursuant to the orders of a lawful supervisory officer. Failure to obey the order constitutes insubordination, and punishment for insubordination can be up to and including termination of employment. Therefore, in order to avoid the charge of insubordination which could result in my termination of employment, I hereby make this report. In addition, I understand that this report is in the course of an internal investigation and is the result of administrative orders. I further understand that this truthful report or the fruits of this truthful report can not be used against me in any subsequent criminal prosecution.

On Thursday, November 29, 2012, I was working overtime after investigating a child rape (12-381917) at University Hospital. At approximately 2230 hours, I heard a gunshot directly outside the SCU windows facing St. Clair Avenue, and a vehicle squealing tires away from the area. I asked Detective Andy Harasimchuk #481 if he heard the shot and he stated that he did, and that it sounded close by. I was poised to call Police Radio to report the shot, but moments later I heard sirens and observed zone cars in and around the area. We grabbed a portable radio and we proceeded to monitor the event. As the pursuit concluded and officers fired their weapons, and unsure if officers had been shot or otherwise injured, Detective Harasimchuk #481 and I left the Justice Center in a SCU vehicle and proceeded to Heritage Middle School in order to assist our colleagues. While on scene, we reported to Commander James Chura that we had heard the initial shot that initiated the pursuit. He ordered us to complete this Form 1 outlining our account and involvement. I stayed on scene in order to assist in my capacity as CPPA 2nd Vice President.

Respectfully,

[Signature]

Detective Thomas Ross #2429

CLEVELAND DIVISION OF POLICE

CLEVELAND, OHIO

DEPARTMENTAL INFORMATION

DIST SCU ZONE SCU December 04 2012
 EXAMINED BY Amir W. [Signature] 8486 RANK Lt. 12-04 2012
 FROM Detective Andrew Harasimchuk #481 TO James McPike, Lieutenant
 SUBJECT Officer Involved Shooting/ RMS #12-382097
 COPIES TO Chiefs Office, BSI, Homicide Unit (UDFIT), CPPA, FOP

Sir:

I am typing this Form 1 pursuant to the orders of a lawful supervisory officer. Failure to obey the order constitutes insubordination, and punishment for insubordination can be up to and including termination of employment. Therefore, in order to avoid the charge of insubordination which could result in my termination of employment, I hereby make this report. In addition, I understand that this report is in the course of an internal investigation and is the result of administrative orders. I further understand that this truthful report or the fruits of his truthful report can not be used against me in any subsequent criminal prosecution.

On Thursday, November 29, 2012, I was working overtime assisting Detective Ross #2429 in the investigation of an eight year old victim of a rape (12-381917) at University Hospital. After returning to the Sex Crimes/Child Abuse Unit Office at approximately 2230 hours, I heard a gunshot that sounded like it was directly outside of the Police Headquarters windows facing St. Clair Avenue, and then I heard squealing tires from a vehicle. Detective Ross #2429 asked me if I had heard the shot. I told Detective Ross #2429 that I did hear the shot and that it sounded like it was very close by. Detective Ross #2429 was getting ready to notify police radio of the gun shot when we started to hear sirens and then observed zone cars in the area. We then got a portable radio and began to monitor the event. As the pursuit concluded and we had heard that shots were fired, and unsure if officers had been shot or otherwise injured, Detective Ross #2429 and I left the Justice Center in a SCU vehicle and proceeded to Heritage Middle School. While on scene, we reported to Commander James Chura that we had heard the initial shot that initiated the pursuit. He ordered us to complete this Form 1 outlining our account and involvement.

Respectfully,

Andrew Harasimchuk #481

Detective Andrew Harasimchuk #481